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December 29, 2023

**Via ECF**

Hon. Paul G. Gardephe, United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: USA v. Pierre (Andrew Prime)  
22-Cr-19 (PGG)

Dear Judge Gardephe:

I represent Mr. Andrew Prime in the above matter. Mr. Prime is scheduled to surrender on January 5, 2023. For medical reasons, I am asking for a short extension of time for him to surrender. As shown by the attached letter from his dentist, Mr. Prime requires a root canal to repair a broken tooth: that procedure is scheduled for January 11, 2023. He will need a follow-up exam approximately 10 days after the procedure in order to ensure there is no infection.

In addition, Mr. Prime's fiancé, Jade Burton (she appeared with him at his sentencing), requires surgery which is scheduled for January 7, 2023 in California. Mr. Prime would like to assist his fiancé with transportation to and from the surgery, and help her get settled into her recovery afterwards. He would then return to New York for his dental procedure on January 11, proceed with a follow-up in late January, and then surrender in early February.

Pre-trial has no objection to the requested extension. I have not yet heard from the Government as to their position: I would note my earlier request, emailed to chambers on December 18, did not elicit any objection.

Mr. Prime has not yet been designated to the prison where he will be serving his sentence. In light of the well-known horrid conditions at the MDC, a brief postponement of his surrender date would allow him to help Ms. Burton with her surgery, and have his own dental procedure and

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follow-up. The extension would give the Bureau of Prisons time to formally designate the facility where he should surrender, thus avoiding the need for him to have to endure the conditions at the MDC.

Very truly yours,

  
David K. Bertan

DKB

cc: AUSA Mathew Andrews (via ECF)

AUSA Qais Ghafary (via ECF)

**MEMO ENDORSED:** The application is granted. Andrew Prime's surrender date is adjourned to **February 2, 2024**.

SO ORDERED.



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Paul G. Gardephe  
United States District Judge

Date: January 3, 2024